



Public Notice

US Army Corps
of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Number: 199700006
Date: December 22, 2005
Comments Due: January 21, 2006

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Douglas Road 103 project, which would result in impacts to approximately 2.03 acres of waters of the United States, including wetlands, in or adjacent to Morrison Creek. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Jim Galovan
Douglas Grantline 103 Investors, LLC
111 Woodmere Drive, Suite 190
Folsom, California 95630
916-608-9600

LOCATION: The project site is located in Rancho Cordova in Section 10, Township 8 North, Range 7 East, Sacramento County, California, and can be seen on the Buffalo Creek USGS Topographic Quadrangle. The project is located within the Sunridge Specific Plan area and the Sunrise Douglas Community Plan area.

PROJECT DESCRIPTION: The applicant is proposing to construct a residential and commercial development of approximately 106.4 acres. As proposed, the project would result in the construction of 36.3 acres of residences, 18.4 acres of commercial space, 7.9 acres of roads, landscape buffers, and rights of way, and a 43.8-acre wetland and wildlife preserve. Additionally, the project would result in offsite road improvements on approximately 16.8 acres. Douglas Road would be converted from two to four lanes from Grantline Road to the proposed Americanos Boulevard. The proposed Americanos Boulevard would be extended north of Douglas Road for approximately 400 feet, and turn lanes would be constructed along Grantline Road for approximately 800 feet to the north and south of the Douglas Road interchange.

The proposed development would result in the permanent loss of 2.03 acres of waters of the United States, including 0.10 acres of intermittent and ephemeral drainages, 0.22 acres of seasonal wetlands, and 1.71 acres of vernal pools. The proposed 43.8-acre preserve would contain 3.02 acres of waters, including 2.60 acres of vernal pools, 0.15 acres of seasonal wetlands, and 0.27 acres of intermittent and ephemeral drainages.

Based on the available information, the overall project purpose is to construct a mixed use development of 75 to 150 acres within the Urban Services Boundary of Sacramento County. The applicant believes there is a need to provide additional residential housing and commercial space in Sacramento County. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. There are approximately 5.05 acres of waters of the United States within the 106.4-acre property and the 16.8-acre road improvement areas. The aquatic habitats identified include 4.31 acres of vernal pools, 0.37 acres of seasonal wetland habitats, 0.28 acres of intermittent drainage, and 0.09 acres of ephemeral drainages.

The project site and adjacent properties are predominantly undeveloped and have been primarily used for cattle grazing and other passive agricultural activities. The project site has been previously designated by Sacramento County as a potential vernal pool preserve site, with a high priority for evaluation. The vernal pools are scattered throughout the project site and support wetland plant species, including Fremont's goldfields (*Lasthenia fremontii*), white headed navarretia (*Navarretia leucocephala*), slender popcorn flower (*Plagiobothrys stipitatus*), and dwarf wooly marbles (*Psilocarphus brevissimus*).

The surrounding lands are proposed for development in accordance with the Sunrise Douglas Community Plan and the Suncreek and Sunridge Specific Plans.

Alternatives. The applicant has not provided information concerning project alternatives. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

In June 2004, the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency (EPA), and the Corps developed a preservation alternative for the Sunrise Douglas Community Plan area. A map of this alternative, entitled, *A Conceptual-Level Strategy for Avoiding, Minimizing, & Preserving Aquatic Resource Habitat in the Sunrise-Douglas Community Plan Area*, is enclosed. The Conceptual-Level Strategy was created to achieve reasonable protection and conservation of federally threatened and endangered species, while taking a regional approach to avoidance and minimization of impacts to waters of the United States, in accordance with EPA's Section 404(b)(1) guidelines. The applicant's proposed development appears consistent with this strategy.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has not provided a compensatory mitigation proposal.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Regional Water Quality Control Board is required for this project. The applicant has not indicated they have applied for

certification. Pursuant to the California Environmental Quality Control Act (CEQA) the city of Rancho Cordova has prepared a draft Mitigated Negative Declaration for this project and three others in the Sunrise Douglas Community Plan Area. The four projects, Douglas 103, Douglas 98, Grantline 208, and Arista del Sol, are collectively referred to as the Sunridge East projects.

HISTORIC PROPERTIES: Based on the available information (including the applicant's report entitled, *Determination of Eligibility and Effect for the Douglas Road 103 Project Area*) cultural resources are not within the project's area of potential effect.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat, including the vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), Sacramento orcutt grass (*Orcuttia viscida*), Slender orcutt grass (*Orcuttia tenuis*), and California tiger salamander (*Ambystoma californiense*). The Corps will initiate consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act, as appropriate.

ESSENTIAL FISH HABITAT: The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice 199700006, must be submitted to the office listed below on or before January 21, 2006:

William Ness, Project Manager
US Army Corps of Engineers, Sacramento District
Sacramento Office
1325 J Street, Room 1480
Sacramento, California 95814-2922
Email: William.W.Ness@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager William Ness, 916-557-5268, William.W.Ness@usace.army.mil.

Attachments: 4 drawings